

LUNENBURG PLANNING BOARD TOWN OF LUNENBURG

Emerick R. Bakaysa, Chair
Joanna L. Bilotta-Simeone, Vice-Chair
Thomas W. Bodkin, Jr., Clk.
Robert J. Saiia, Mbr.
Nathan J. Lockwood, Mbr.
Marion M. Benson, Planning Director



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Minutes
May 14, 2012

Meeting Posted: Yes
Place: Town Hall, 17 Main Street, Lunenburg, MA 01462
Time: 6:30 PM

Present: Emerick R. Bakaysa, Joanna L. Bilotta-Simeone, Robert J. Saiia, Nathan J. Lockwood (arrived late), Marion M. Benson
Absent: Thomas W. Bodkin Jr.

MINUTES – APPROVAL: Motion, Ms. Bilotta-Simeone, to approve 4-23-12 and 5-5-12. Second, Mr. Saiia. Minutes signed.

APPOINTMENTS:

EPG Solar- EPG Solar was represented by Matthew Bombaci from GPR (Goldsmith, Prest & Ringwall). The Applicant has increased the number of plantings by almost 300%. Lorayne Black, landscape architect, will assist with plant selection and placement. Two-foot berms with plantings have also been provided. The berms will have breaks in them so as not to catch any rain water and create drainage issues. In addition to the original plantings, Ms. Black has added spruce, firs, junipers, and arborvitae. She has recommended mixed plantings in the event of any plant disease, for diversity, various rates of growth, and more appealing view for neighbors. Three different plant materials are recommended for the fencing; English Ivy, Virginia Creeper, and Climbing Hydrangeas.

Reviewing Engineer Jesse Johnson of David Ross Associates noted a substantial increase in number of plantings and felt the new design more aesthetically pleasing. Both Mr. Johnson and Ms. Black noted some room has to be allowed for growth. The initial plantings cannot be too close to each other. Mr. Johnson noted the Board could consider a condition allowing for supplemental plantings to create continuous screening if not achieved in some designated time frame and to ensure perpetuity.

Mr. Johnson's review noted that the Applicant should indicate if the entire fencing is to have vines planted along it. He also noted the cluster planting details were omitted from the latest revised plans. Ms. Black responded that there will be closer spacing behind the homes and less out in the fields. She did a Planting Plan which shows spacing and planting locations. If the cluster plantings details done by the Applicant have been left on the plans, it would have created confusion for the landscape contractor.

Mr. Bakaysa read the following letter into record.

May 14, 2012

Marion Benson, Planning Director

Town of Lunenburg

RE: Solar Bylaw

Dear Marion,

As you are aware, on May 5, 2012, the Town of Lunenburg amended their solar bylaw which now requires new dimensional setbacks for a solar array from abutting property lines depending upon the district and abutting districts that the solar array is located.

Massachusetts General Law Chapter 40A: Section 6, requires that any zoning amendment that is adopted at a town meeting, shall apply to any building or special permit issued after the first notification of a public hearing on any such bylaw change. Since no special permit for solar was required under the old bylaw and due to the fact that a building permit has yet to be applied for, I must inform you that any solar array that requires a building permit under the new bylaw, must conform to the requirements of the new bylaw. If you have any questions in regards to this correspondence, please feel free to contact me at your convenience.

Sincerely,

Michael Sauvageau

Ms. Benson noted that Town Counsel stated the new Solar Bylaw went into effect on May 5, 2012, the date of the Town Meeting vote.

Ms. Bilotta-Simeone still has issues with the number of years it will take before the plantings attain full growth. Ms. Black reiterated that large plants are going in and it is a gradual process. She feels in ten years the arrays will be almost totally blocked. Mr. Lockwood felt the plan was thorough. Mr. Bakaysa inquired of Ms. Black if she felt there were any additional areas not covered by plantings. Ms. Black felt based on topography and current residential plantings, that the area was addressed as much as possible. Mr. Saiia requested that Applicant discuss plantings with the abutting residents.

Citizens noted below continue to have issues with the landscaping and screening, particularly on the West Street curve where the field is ascending.

Christopher Gould, 305 Pleasant Street

Maria Maki, 714 West Street

Angelina Belisle, 642 West Street

Kristin Burns, 634 West Street

David Prokowiew, 733 West Street inquired as to fence height. Six feet. Mr. Babcock noted that the standard for these projects is six feet.

Board to prepare Findings and Directives for presentation at its next meeting.

ANR- Daniel Cronin, Hillside Drive- Presented ANR Plan for 1 Turkey Hill Road. Mr. Cronin noted Plan was filed with the Town Clerk, provided to the Sewer Commission and the Planning Office on May 3, 2012 for presentation at this evening's meeting. Plan is a revision of a previous ANR Plan approved by the Planning Board on March 28, 2005. In 2008 Mr. Cronin applied for a building permit which was denied based on 1) insufficient street frontage on Oak Avenue for the corner lot at 27 Oak Avenue. Mr. Cronin stated that the Land Court found against the Town and ruled there was sufficient street frontage on Oak Avenue, and 2) lot width through the building. Mr. Cronin stated that the Appeals Court ruled against the Town. Appeals Court ruled he could restore the pre-existing non-conforming nature of the lot. Mr. Cronin connected 27 Oak Avenue to the sewer line in 2005 and also installed the sewer pipe for the back lot known as 1 Turkey Hill Road. The sewer line is located under Parcel X (noted on current submitted ANR Plan) and capped on the back lot. The Appeals Court ruled that by conveying Parcel X back to the present owners of 27 Oak Avenue, it would restore the pre-existing, non-conforming nature of the lot and retain a sewer easement. The present owners of 27 Oak Avenue accepted the conveyance and the sewer easement was retained. It was recorded 2-3 days prior to the Town Meeting vote that prohibited sewer easements. Mr. Cronin paid connection fees in 2005 for the back lot and he has stayed current with fees from the Sewer Department. Plan accepted for review.

ANR- Alice Heikkila, 651 Chase Road- Jamie Rheault, Whitman and Bingham Associates. ANR requested by attorney for anticipated solar project. Mr. Rheault stated that whether the parcel is deemed buildable/non-buildable to the anticipated solar project is irrelevant to the site. Parcel C (non-buildable lot) may/may not be conveyed at a future time to an abutter. Lot B (buildable lot) is remaining land that will stay with the solar project. There is no Parcel A as a previous plan was submitted on this property by surveyor James Gaffney and Whitman and Bingham did not want to continue with redundant parcels. Mr. Bakaysa requested that Parcel C be labeled "buildable". Mr. Rheault will bring a revised plan noting such for the next Planning Board meeting. Plan accepted for review.

NOTICES & COMMUNICATIONS:

Noted Traffic Count Requests to MRPC for Mulpus Road at Townsend Harbor Road, Summer Street at both city lines, Massachusetts Avenue at WalMart, and Leominster Shirley Road at Pioneer Drive.

Noted bulletin from the Office of Campaign and Political Finance regarding activities of public officials in support, or opposition of, ballot questions.

COMMITTEE REPORTS:

MJTC- No present report - meeting to be held this week.

MRPC- No report

DPW Building Committee- Committee disbanded once report was given to Board of Selectmen

School Reconfiguration Committee- Funding request for preliminary study was approved at May 5th Town Meeting.

Green Community Task Force- Meeting scheduled for June 6, 2012.

PLANNING DIRECTOR'S REPORTS/NEW BUSINESS:

Plan Procedures- Tabled

Verizon Wireless, 314 Sunny Hill Road-Application received for special permit modification for antenna update. Application currently being reviewed by Marsden Engineering.

DEVELOPMENT STATUS REPORTS:

Emerald Place at Lake Whalom, 10 Lakefront- Work continues on the villas. Ms. Bilotta-Simeone inquired as to how many buildings have been completed. Ms. Benson to follow-up.

Tri Town Landing, Youngs Road- License agreement regarding water supply for Building 3 on Board of Selectmen agenda for May 15th.

New England Farms, 134 Leominster Shirley Road- Ms. Benson noted correspondence from the Sewer Commission regarding sewer review and fee. Applicant has submitted to the Zoning Board of Appeals.

BOARD COMMENT: The Board expressed its thanks to the petitioners and citizens that attended Town meeting for successfully passing the new solar bylaw.

PUBLIC COMMENT: None

MEETING SCHEDULE:

Due to no meeting on May 28th (holiday), Board will consider setting another meeting date prior to June 11th.

May 21- Master Planning Workshop, Ritter Memorial Building

June 11- Planning Board Meeting, Town Hall

June 18- Master Planning Workshop, Ritter Memorial Building

June 25- Planning Board Meeting, Ritter Memorial Building

ADJOURNMENT: Motion, Ms. Bilotta-Simeone, Second, Mr. Saiia, Motion passed. Adjourned 8:00 PM.